



CITY OF OCEANSIDE

January 16, 2019

The Honorable Scott Wiener
Senator, California State Senate
State Capitol Building, Room 5100
Sacramento, CA 95814

**RE: SB 50 (Wiener) Planning and Zoning. Housing Development Incentives
OPPOSE UNLESS AMENDED (*as amended 01/06/2020*)**

Dear Senator Wiener:

On behalf of the City of Oceanside, I'm writing to continue to oppose SB 50, unless further amended. The amendments taken on January 6, 2020 do not consider our primary objections to SB 50. However, the City of Oceanside is pleased that recent amendments attempt to create an alternative planning process for jurisdictions to develop a "local flexibility plan." Unfortunately, we can't evaluate whether the "local flexibility plan" is a viable alternative, because the amendments do not clearly identify the elements of the plan.

Specifically, it appears that the intent of the amendments are to provide local governments with an opportunity to develop their own plan to meet the goals and objectives of SB 50. Although the goal of increased density around transit is clear; the goal of the bill regarding a jobs-rich housing project is not. Without clearly identified criteria, we are unable to evaluate whether the "local flexibility plan" is actually a viable alternative planning option.

SB 50's "community plan" for sensitive communities provides a much clearer alternative and should be considered as a possible alternative planning process for all jurisdictions.

If a city elects not to develop a "local flexibility plan" or if HCD does not approve a submitted "local flexibility plan" by January 1, 2023, a city is required to give a developer an "equitable communities incentive," which overrides locally developed and adopted height limitations, housing densities, and parking requirements. Many statewide standards, enacted by the Legislature, are included in the State's Planning law. Standards should be established by the Legislature, not by individual developers.

Developers of certain housing projects should not be allowed to override locally developed (and HCD-approved) housing elements which identify adequate sites with sufficient density to accommodate a city's share of the regional housing need. As it stands, SB 50 gives housing developers and transit agencies, who are unaccountable to local voters, the power to determine housing densities, heights, parking requirements, and design review standards for "transit-rich housing projects" within one-half mile of a major transit stop.

And finally, SB 50 would greatly undermine locally adopted General Plans and Housing Elements. By allowing developers to override state-approved housing plans, SB 50 calls to question the need for cities to develop these community-based plans, and the justification for spending millions of state and local funds on the planning process.

For these reasons, the City of Oceanside opposes SB 50 unless amended.

Sincerely,

A handwritten signature in blue ink that reads "Peter Weiss". The signature is cursive and stylized.

Peter Weiss
MAYOR

Cc. Oceanside City Council
Senator Pat Bates
Assembly Member Tasha Boerner Horvath
Catherine Hill, League of CA Cities
League of California Cities, cityletters@cacities.org